THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE DR. JUSTICE G. YETHIRAJULU

W.A. No. 2084 of 2005

Dated: 09.11.2005

Between:

1. L.M.K.High School, Kanigiri Prakasam District, rep.by its Correspondent Smt. M. Nagamma,
2. P. Malyadri s/o sTirupalu, working as B.Ed Assistant (Science) at L.M.K. High School, Kangiri.

…APPELLANTS

And

The District Educational Officer, Prakasam District at Ongole.

…RESPONDENT

THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE DR. JUSTICE G. YETHIRAJULU

W.A. No. 2084 of 2005

J U D G M E N T (per Hon'ble Sri Justice B. Prakash Rao)

Heard both sides and at their request, the main appeal itself is taken up for disposal.

The unsuccessful writ-petitioners are the appellants herein, who seek to assail the order rejecting the writ petition filed challenging the impugned order dated 22.08.2002 returning the proposals submitted for approval of the appointment of second appellant herein as B.Ed. Assistant (Science).

Though several contentions have been sought to be urged, however, the fact remains that as against such returned proposals, the appellants did not approach the concerned authority pointing out all the reasons, but for the first time it is sought to be shown in the affidavit filed in support of the petition. The learned Single Judge, having considered the same, rejected the writ petition mainly placing reliance under Sub Rule (3) of Rule 22-A of A.P. State & Subordinate Service Rules.

Having regard to the same, we do not find any merit in this appeal and there are not reasons to interdict the same. However, the appellants are at liberty to approach the concerned authority pointing out all the reasons mentioned in the affidavit and on such approach, the respondent shall consider afresh and dispose of the same accordingly.

With the above observations, the writ appeal is dismissed. No order as to costs.

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B. PRAKASH RAO,J

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DR. G. YETHIRAJULU, J

Date: 09.11.2005

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